IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2359 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE R.P.DHOLAKIA

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

ANIL KHATABHAI GUJARIA

Versus

COMMISSIONER OF POLICE

Appearance:

MS NAYANA V PANCHAL for Petitioner

MR SJ DAVE, AGP for Respondent No. 1, 2, 3

CORAM : MR.JUSTICE R.P.DHOLAKIA

Date of decision: 24/07/2000

ORAL JUDGEMENT

Learned advocate for the petitioner, Ms.Nayana V. Panchal did not remain present throughout the session. This matter was adjourned from time to time and on one time, even notice was issued to the petitioner-detenu informing him that his advocate, Ms.Nayana V. Panchal is

not remaining present in the matter and, therefore, suitable arrangement be made. This being a very old matter, it was regularly listed in the final hearing board at Sr.No.1. Still, advocate has chosen not to remain present in the court for the reason best known to her as a result of which, this Court could not pass any order in the matter and could not dispose of the same till today. Now this matter has become infructuous because actual date of detention is 21-7-1999. It is an unhealthy practice adopted by the learned advocate for the reason best known to her. Hence, this Court has no other alternative, but to dispose of this matter as it has become infructuous on the ground of negligence on the part of learned advocate for the petitioner. This petition stands disposed of accordingly. Rule is discharged.

(R.P.DHOLAKIA,J.)

radhan/